

Remarks

Claims 1-3, 5, 7-11, 13, 15-19, 21, 23-27, 29, 31-35, 37, 39, and 40 are pending. No claims are amended at this time. This response is intended to clarify an apparent misunderstanding regarding the applied references, and to place this case in condition for allowance. As such, the Applicants respectfully request the Examiner to withdraw the finality of the previous Office Action, and enter and consider this response.

Claims 1-3, 5, 7-11, 13, 15-19, 21, 23-27, 29, 31 and 32 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 6,006,016 (Faigon).

The Applicants traverse this rejection.

Each of the Applicants' independent claims recites, in part, reporting an event having a state only after that state is maintained for a predetermined amount of time. In addition, various dependent claims (e.g., 5, 9, 21, 29, and 37) further recite reporting the number of times the event toggled between first and second states. In this sense, the claimed invention as defined in the independent claims assesses a qualitative aspect of the event state, and the claimed invention as defined in the various dependent claims assesses both a qualitative aspect and a quantitative aspect of the event state.

In contrast, Faigon is only quantitative in nature, in that Faigon's system counts the number of times a particular event occurs in a predetermined time. If the count threshold ("occurrence threshold") is achieved within the predetermined time ("time threshold"), then the fault is correlated and reported. This quantitative (event counting) focus is consistent throughout Faigon. See, for example: Abstract, Summary at col. 2, lines 56 to col. 3, line 3, and lines 50-58; Detailed Description at col. 7, lines 11-12, and col. 8, lines 13-15, and col. 11, lines 10-17, and col. 12, lines 33-36, and col. 13, lines 24-29 and lines 56-58, col. 14, lines 19-21, and col. 15, lines 24-26; and all 19 claims) At no time, however, does Faigon disclose or otherwise suggest determining or otherwise assessing the time that a given event state persists relative to a predetermined amount of time as variously recited in the Applicants' claims.

Because Faigon does not disclose each and every limitation as recited in the Applicants' claims, it cannot anticipate under 35 U.S.C. §102(b). As such, the Applicants respectfully request the Examiner's reconsideration and withdrawal of this rejection.

Claims 33-35, 37, 39, and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Faigon in further view of U.S. Patent 6,414,595 (Scrandas).

The Applicants traverse this rejection.

Without conceding as to the properness of the combination of Faigon and Scrandas, the Applicants note that Scrandas suffers the same deficiency as Faigon, in that Scrandas discloses a quantitative technique that counts alarms. The Applicants can find no occurrence where Scrandas discloses or otherwise suggests determining or otherwise assessing the time that a given event state persists relative to a predetermined amount of time as variously recited in any of the Applicants' claims.

Because neither Faigon nor Scrandas discloses or suggests each and every limitation as recited in the Applicants' claims, their combination cannot render the claimed invention obvious under 35 U.S.C. §103(a). As such, the Applicants respectfully request the Examiner's reconsideration and withdrawal of this rejection.

Favorable action is solicited. The Examiner is kindly invited to telephone the undersigned attorney should there be any remaining issues.

RESPECTFULLY SUBMITTED,

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